

Military gay ban revisited:
Is our military ready for change?

Captain LS Christian, Jr.

Major A Irvin, CG 7
20 February 2009

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 20 FEB 2009		2. REPORT TYPE		3. DATES COVERED 00-00-2009 to 00-00-2009	
4. TITLE AND SUBTITLE Military gay ban revisited: Is our military ready for change?				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) United States Marine Corps, Command Staff College Marine Corps University, 2076 South Street, Marine Corps Combat Development Command, Quantico, VA, 22134-5068				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 15	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

While we have come a long way since the Stonewall riots in 1969, we still have a lot of work to do. Too often, the issue of [Lesbian, Gay, Bi-sexual, Transgender] (LGBT) rights is exploited by those seeking to divide us. But at its core, this issue is about who we are as Americans. It's about whether this nation is going to live up to its founding promise of equality by treating all its citizens with dignity and respect.¹

-- Barack Obama, June 1, 2007

¹ Barack Obama. URL:<http://change.gov/agenda/civil_rights_agenda/>. 17 December 2008.

Throughout the 2008 Presidential election, then Senator Barack Obama received strong support from the lesbian, gay, bi-sexual, transgender (LGBT) community and in return made several campaign promises along the way. One of the campaign promises dealt with overturning the long held ban of homosexuals serving in the military. This socially charged issue has caught the attention of the military because a change in current law which bans homosexuals from serving will fall on the military for implementation. Military traditions and core values will be challenged, altered, and even changed to make way for a re-indoctrination of the military to a new set of traditions and values. Military leadership at all levels need to be completely informed regarding this controversial issue and must be ready to show moral courage by taking a position that keeps the institution of the military strong. Allowing homosexuals to serve openly in the U.S. military must be avoided because it will result in deterioration of military strength as evidenced by decreased unit cohesion, good order and discipline, and medical readiness.

Background

Homosexuals have been barred from serving in the U.S. military for decades. The legal ban was codified into law by the U.S. Congress in the "Military Personnel Eligibility Act of 1993," also referred to by the easy-to-remember phrase, "Don't Ask, Don't Tell."² The U.S. Congress turned down the Clinton administration's proposal of allowing homosexuals to serve openly in the U.S. military and reconfirmed long

² Public Law 103-160, § 654, Title 10

held beliefs that "homosexuality is incompatible with military service."³ The U.S. Congress went on to further state that the military was itself a specialized society set apart from civilian life that is designed specifically to fight and win the nation's battles.⁴ Additionally, the prohibition of homosexual conduct in the military is a "long-standing element of military law that continues to be necessary in the unique circumstances of military service."⁵ Lastly, the Congress affirmed that the presence of homosexuals in the military creates "an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability."⁶

Unit cohesion

Cohesion is a critical element in a military unit because it gives the military the ability to maximize all elements of combat power toward a national crisis requiring a military solution. Without cohesion, military units would be disjointed and set up for failure. The U.S. Congress realized the important aspect of military unit cohesiveness as evidence by the below excerpt from the 1993 law:

(7) One of the most critical elements in combat capability is unit cohesion, that is, the bonds of trust among individual service members that make the combat effectiveness of a military unit greater than the sum of the combat effectiveness of the individual unit members.⁷

³ Public Law 103-160, § 654, Title 10

⁴ Public Law 103-160, § 654, Title 10

⁵ Public Law 103-160, § 654, Title 10

⁶ Public Law 103-160, § 654, Title 10

⁷ Public Law 103-160, § 654, Title 10

The impact upon the military if homosexuals were to serve openly would be a decrease in unit cohesion. The individual military member holds a set of values instilled in him/her both from his/her individual upbringing and initial training. Taking the Marine for example, the values of honor, courage, and commitment and the 14 leadership traits lay the foundation for military virtue and future leadership development. If these values and traits are degraded in anyway, the Marine Corps as an institution and the other branches of the U.S. military will be in jeopardy. A homosexual and heterosexual are both defined by sexual conduct. One is socially accepted; the other is not. Introducing behavior that is contrary to what is morally acceptable to a major segment of the military only weakens the organization.

Counterargument to unit cohesion

The opposition to the unit cohesion argument is that it will not be adversely affected. An independent study conducted in 1993 by the RAND Corporation broke down the unit cohesion argument into social cohesion and task cohesion. Social cohesion defined as "the nature and quality of the emotional bonds of friendship, caring, and closeness among group members."⁸ Task cohesion being defined as "shared commitment among members to achieve a goal that requires the

⁸ David F. Burrelli and Dale, Charles. *"Changing the Policy Toward Homosexuals in the U.S. Military"* RAND Research Brief. URL:<http://www.rand.org/pubs/research_briefs/RB7537/index1.html.> Updated 10 February 2005.

collective efforts of the group.”⁹ The study revealed that social cohesion could be reduced because of the presence of a known homosexual. The research also reflected that this reduction in social cohesion could be mitigated through leadership, military regulations, and socially accepted norms. As for task cohesion, the RAND study found that “it is unlikely to undermine task cohesion, provided that the individual demonstrates competence and commitment to the unit’s mission.” The RAND study made the final conclusion that “known homosexuals on the force is not likely to undermine military performance.”¹⁰ “Not likely to undermine military performance” is the key phrase because it reflects the oppositions weakened argument.

The RAND study completed by independent researchers included reviews and comparative analysis of foreign military policies, police and fire departments, and public opinion polls. Since no two militaries are the same in structure, demographics, and culture generalized judgments about one country’s open homosexual policy may not be a good comparison to another. Police and fire department comparisons to the military are useful but they do not compare to the militaries close quarters requirement where a lack of privacy is an expected norm. Public opinion polls are dependent upon who conducts them and the wording of the questions which together may give a predetermined response.

⁹ Burrelli, “*Changing*”. 10 February 2005.

¹⁰ Burrelli, “*Changing*”. 10 February 2005.

Good order and discipline

In the context of this debate, good order and discipline of a military unit are core characteristics of what separates the military from the civilian community. Congress understood the uniqueness of its military and penned its understanding into law as follows:

(14) The armed forces must maintain personnel policies that exclude persons whose presence in the armed forces would create an unacceptable risk to the armed forces' high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.¹¹

If homosexuals are allowed to serve openly, good order and discipline would be negatively affected for the following reasons:

First, the standard of conduct outlined by the Congress would be drastically altered. Long held beliefs shared by many people that homosexuality is an unacceptable sexual behavior would now be viewed and taught to be normal and acceptable. This change in standards of conduct will breed resentment, and it would not be long until the military would see symptoms of poor morale and a decreased level of good order and discipline throughout the military.

Second, tolerance and acceptance will be the key words and principles that will drive the re-indoctrination of military. The attempt to train the military to accept a lifestyle the majority of people believe is immoral will fail in implementation because the very policy is flawed. Such a policy will confuse the military and undermine core principles that help maintain good order and discipline. Former Chairman of the Joint Chiefs, General Peter Pace,

¹¹ Public Law 103-160, § 654, Title 10

expressed his personal views in public that capture the sentiment of some military members currently serving.

I believe homosexual acts between two individuals are immoral and that we should not condone immoral acts. I do not believe the United States is well served by a policy that says it is ok to be immoral in any way. I would not want acceptance of overt homosexual behavior to be our policy, just like I would not want it to be our policy that if we find out that so-and-so was sleeping with somebody else's wife, that we would just look the other way, which we do not. We prosecute that kind of immoral behavior.¹²

The former Chairman of the Joint Chiefs should be held in high regard by the military because of his open display of moral courage in defending moral behavior.

Third, homosexuals pose an unacceptable risk to the military because their sexual conduct erodes good order and discipline. The former Chairman of the Joint Chief's quote above speaks to the Uniform Code of Military Justice offense of adultery in that he argues it is an equally immoral act as homosexuality. If homosexuality is somehow acceptable behavior, then the equally immoral act of adultery should be considered acceptable behavior. This perceived shift in standards of conduct that homosexual rights groups desire all to embrace does not in anyway help the military in maintaining good order and discipline but rather helps to erode it away. The homosexual community has not offered its own definition of morality and yet it, ridicules, and labels those who differ in opinion as "hypocrites, bigots, and homophobic."

¹² American Family Association - Action Alert, "*Homosexuals working to get Marine general punished for comments calling homosexual act immoral*," URL: <http://www.afa.net/petitions/issuedetail.asp?id=237>>

Counterargument to good order and discipline

The opposition offers that open homosexuality in the military will not degrade good order and discipline. The civilian comparison of semi-equal institutions, such as law enforcement and fire fighting organizations are offered as examples of occupations which homosexuals are allowed to serve openly.

In contrast, the U.S. military stands apart from the other two examples in that close quarters for extended periods of time due to war and training is a realistic requirement. Even in today's current military operations, mixed company of male and female creates a very challenging leadership issue. Asking the military to deal with the sexual attraction nuisances between same sex personnel and the fact that they are cohabitating is a dangerous risk and one that should be avoided. The forcing of cohabitation of the same sex with the same sexual attraction breeds grounds for a deterioration in good order and discipline. In essence the military has its own moral code that supports the unique mission given it and should not become some sexual freedom experiment. We separate males and females for a reason.

Additionally, the opposition likes to cite other countries that have successfully adopted liberal homosexual policies such as Great Britain, Canada, Italy, Australia, Germany, Israel, and Switzerland as evidence that the United States should follow the rest of world.¹³ The U.S. military stands on a foundation cemented in principles and core values that goes a long way in separating itself from others

¹³ Wikipedia, "Don't ask, don't tell," URL:
<http://en.wikipedia.org/wiki/Don%27t_ask,_don%27t_tell>

around the world. This strong example makes it the world leader to be admired not the other way around. The United States should think very carefully about following other countries' liberal military policies because doing so could bring many unforeseen negative consequences.

Medical readiness

If the military gay ban were lifted and open homosexuals were allowed to serve in the military there will be an increased rate of service members infected with human immunodeficiency virus (HIV) and other sexually transmitted diseases due to risky sexual behavior. This risky sexual activity will correspond in a decrease in military medical readiness. The Center of Disease Control (CDC) provides some startling statistics that help put this topic in perspective. The Morbidity and Mortality Weekly Report (MMWR) of 12 September 2008 provides a detailed breakdown of race, ethnicity, gender, route of transmission, and age of the American population who is contracting HIV.

The graphical depiction provided by Figure 1, reflects 2006 statistical data published by the CDC in August 2008, which depicts 50% of all new HIV infections were from gay and bisexual men.¹⁴

¹⁴ Center of Disease Control, "MMWR Analysis Provides New Details on HIV Incidence in U.S. Populations," September 2008.

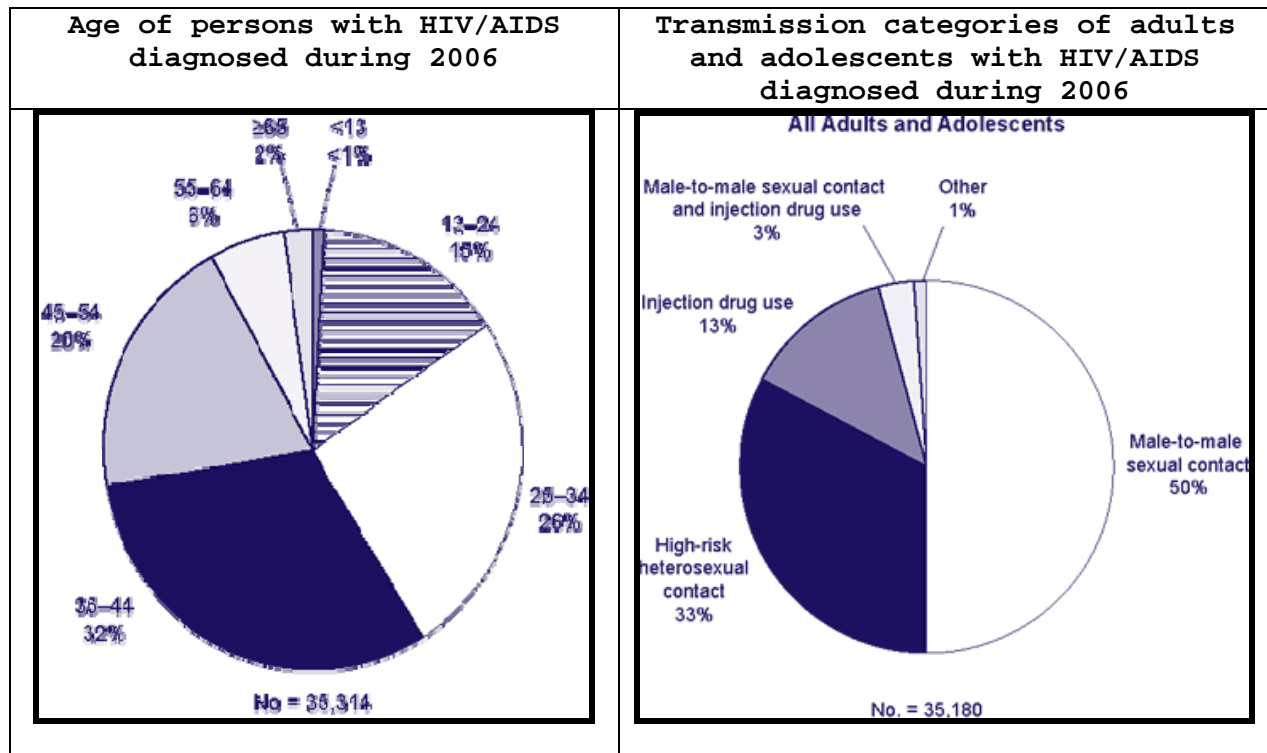


Figure 1

Comparing the age groups that are contracting HIV with the young men and women who enter military service one can conclude that military medical readiness would decrease due to an increase of new contractions. Service members with HIV/AIDS diagnoses are categorized as non-deployable for worldwide assignment due to the medical care required. The medical implications of a policy that causes an influx of a particular demographic based on sexual orientation that has a high risk of HIV/AIDS within it should give both military leaders and policymakers pause for concern.

Counterargument to medical readiness

The opposition does not offer any viable solutions to the medical readiness issue involving homosexual service members. Even with tremendous strides in medical treatments for HIV/AIDS patients where both quality and longevity of life have been improved, the fact remains that no cure currently exists to stop the spreading of HIV/AIDS.

Conclusion

A cultural war rages within the U.S. over socially acceptable relationships. This culture war has pitted two opposing wills that have forced individuals to take sides and prepare for ideological war. The military is strong because of its unit cohesiveness, good order and discipline and medical readiness. The infusion of the homosexual lifestyle upon the military will weaken its character and undermine its principles. Conservative values that are indeed American values need to be upheld and protected. As the political winds begin to blow, the military needs to stand ready to challenge those who are shouting for change.

Word count: 2088

BIBLIOGRAPHY

- Aitken, Brigadier General (Ret.) Hugh. *Report of the General/Flag Officers' Study Group*. Palm Center. URL: <http://www.palmcenter.org.node/1042>. Accessed 18 December 2008.
- Bennett, Jessica and Daniel Stone. *Gay Man for Navy Secretary?*. Newsweek. 18 December 2008.
- Bromberg, S. E. *Homosexuality, Ethics and Military Policy*. <http://www.militaryethics.com> (2 October 2008).
- Bumiller, Elisabeth. *Joint Chiefs Chairman Must Adapt to a New Boss*. The New York Times. 15 December 2008.
- Burrelli, David F., and Charles Dale. "Homosexuals and U.S. Military Policy: Current Issues." *CRS Report for Congress*, 2005.
- Donnelly, Elaine. *Homosexuals in the Military: Where Do the Candidates Stand?* Center for Military Readiness.(22 August 2008).
- Donnelly, Elaine. *Legislative History of the Law Regarding Homosexuals in the Military*. Center for Military Readiness. (22 August 2008).
- Donnelly, Elaine. The "Military Personnel Eligibility Act of 1993" - *Gays In The Military: Give The Law A Name*. Center for Military Readiness (CMR), Issue No. 85. July 2007.
- Donnelly, Elaine. *Who Will Confront the "LGBT Left?"*. Center for Military Readiness. (5 February 2008).
- Frank, Nathaniel. *Notes For President-Elect Obama*. Palm Center. URL: <http://www.palmcenter.org/node/1171>. Accessed 18 December 2008.
- Frank, Nathaniel. *104 Generals and Admirals: Gay Ban Must End*. Palm Center. URL: <http://www.palmcenter.org/press/dadt/releases/104Generals%2526Admirals-GayBanMus...>. Accessed 18 December 2008.
- HIV/AIDS and Men Who Have Sex with Men (MSM)*. Centers for Disease Control and Prevention. URL: <http://www.cdc.gov/hiv/topics/msm/index.htm>. Accessed 1 December 2008.
- Prevention Challenges*. Center for Disease Control and Prevention. URL: <http://www.cdc.gov/hiv/topics/msm/challenges.htm>. Accessed 1 December 2008.
- Seiter, Major Fred R., USMC. *Is There Just Cause for a Gay Military?:* Quantico, VA: CSC 1993.

Tarpey Jr., Major Daniel F., USMC. *Keeping The Gay Ban-Is it Worth The Fight?* Quantico, VA: CSC 1993.

U.S. Marine Corps. Field Manual (FM) 1-0. *Leading Marines*.
Washington, DC: Department of the Navy, January 1995.

Welna, David. *Will Obama Press for End to "Don't Ask, Don't Tell?"*
NPR.org. 11 December 2008.

Military gay ban revisited:
Is our military ready for change?

OUTLINE

Thesis: Allowing homosexuals to serve openly in the U.S. military must be avoided because it will result in deterioration of military strength as evidenced by decreased unit cohesion, good order and discipline, and medical readiness.

- I. Background
 - a. History
 - b. Congressional action
- II. Unit cohesion
 - a. Military impact
 - b. Counterpoint
 - i. RAND study 1993
 - c. Significance
- III. Good order and discipline
 - a. Military impact
 - i. Standards of conduct
 - ii. Re-indoctrination of military
 - iii. Unacceptable risk
 - b. Counterpoint
 - i. Foreign military examples
 - c. Significance
- IV. Medical readiness
 - a. Military Impact
 - i. HIV/AIDS
 - ii. Non-deployable personnel
 - b. Counterpoint
 - i. Medical advances in quality of life
 - c. Significance
- V. Conclusion